

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In Re:)	Case No. 20 B 12173
)	
BRUCANDO L. FORD, and)	Chapter 7
TRACY FORD,)	
Debtors.)	Hon. Donald R. Cassling

**NOTICE OF MOTION OF SANTANDER CONSUMER USA INC.,
D/B/A CHRYSLER CAPITAL TO MODIFY AUTOMATIC STAY**

VIA ELECTRONIC NOTICE:

To: Catherine L. Steege, Esq. (Trustee)	Jonathan R. Haddad (Debtors' Counsel)
Jenner & Block	Jonathan R. Haddad Law Offices
353 North Clark Street	1147 West 175 th Street
Chicago, Illinois 60654	Homewood, Illinois 60430

VIA U.S. MAIL:

To: Brucando L. Ford & Tracy Ford (Debtors)
1259 Elder Road
Homewood, Illinois 60430

PLEASE TAKE NOTICE that on July 14, 2020 at 9:30 a.m., or as soon thereafter as counsel may be heard, I will appear before the Honorable Donald R. Cassling, or any judge sitting in his/her stead, and present the *Motion of Santander Consumer USA Inc., d/b/a Chrysler Capital to Modify Automatic Stay*, a copy of which is attached.

This Motion will be presented and heard telephonically. No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the Motion, you must set up and use an account with Court Solutions, LLC. You can set up an account at www.Court-Solutions.com or by calling Court Solutions at (917) 746-7476.

If you object to this Motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the Motion will be called on the presentment date. If no Notice of Objection is timely filed, the Court may grant the Motion in advance without a hearing.

Respectfully submitted,
SANTANDER CONSUMER USA INC., D/B/A
CHRYSLER CAPITAL,
Creditor,

By: /s/ Cari A. Kauffman
One of its attorneys

David J. Frankel (Ill. #6237097)
Cari A. Kauffman (Ill. #6301778)
Rocio Herrera (Ill. #6303516)
Sorman & Frankel, Ltd.
180 North LaSalle Street, Suite 2700
Chicago, Illinois 60601
(312) 332-3535 / (312) 332-3545 (facsimile)

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached Motion upon the above-named persons by electronic filing or, as noted above, by placing same in a properly addressed and sealed envelope, postage prepaid, and depositing it in the United States Mail at Chicago, Illinois 60616 on July 7, 2020, before the hour of 5:00 p.m.

/s/ Cari A. Kauffman

**IN THE UNITED STATES BANKRUPTCY COURT
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TRACY FORD,)	
Debtors.)	Hon. Donald R. Cassling

**MOTION OF SANTANDER CONSUMER USA INC.,
D/B/A CHRYSLER CAPITAL TO MODIFY AUTOMATIC STAY**

SANTANDER CONSUMER USA INC., D/B/A CHRYSLER CAPITAL (“Santander”), a creditor herein, by its attorneys, the law firm of Sorman & Frankel, Ltd., respectfully requests this Court, pursuant to Section 362 of the Bankruptcy Code, 11 U.S.C. §362 (West 2020), and such other Sections and Rules may apply, to enter an Order modifying the automatic stay provided therein. In support thereof, Santander states as follows:

1. On June 9, 2020, Brucando L. Ford and Tracy Ford (“Debtors”) filed a Voluntary Petition for Relief under Chapter 7 of the Bankruptcy Code.
2. Santander is a creditor of the Debtors with respect to a certain indebtedness secured by a lien upon a 2012 Cadillac SRX motor vehicle bearing a Vehicle Identification Number of 3GYFNDE34CS533000 (the “Vehicle”). (See Ex. “A”).
3. The current total outstanding balance due to Santander from the Debtors for the Vehicle is \$18,446.13.
4. Debtors have failed to provide Santander with proof of full coverage insurance for the Vehicle listing Santander as the lienholder/loss payee and have failed to make required payments to Santander due on and after April 25, 2020.
5. Additionally, the Vehicle was impounded for a mechanics lien on or about April 6, 2020.

6. As such, Santander seeks relief from the automatic stay so that Santander may take possession of and sell the Vehicle and apply the sales proceeds to the balance due from Debtors.

7. Debtors have not offered, and Santander is not receiving, adequate protection for its secured interest or depreciating value. Further, Debtors have no equity in the Vehicle and the Vehicle is not necessary to an effective reorganization by Debtors.

8. Santander will suffer irreparable injury, harm, and damage should it be delayed in taking possession of the Vehicle and foreclosing its security interest therein.

9. Santander requests that Bankruptcy Rule 4001(a)(3) not apply to any Order granting this Motion.

WHEREFORE, Santander Consumer USA Inc., d/b/a Chrysler Capital respectfully requests that this Court enter an Order, as attached hereto, modifying the automatic stay provided by Section 362 of the Bankruptcy Code to permit Santander to take immediate possession of and foreclose its security interest in the 2012 Cadillac SRX motor vehicle bearing a Vehicle Identification Number of 3GYFNDE34CS533000; and, for such other, further, and different relief as this Court deems just and proper.

Respectfully submitted,

SANTANDER CONSUMER USA INC., D/B/A
CHRYSLER CAPITAL,
Creditor,

By: /s/ Cari A. Kauffman
One of its attorneys

David J. Frankel. (Ill. #6237097)
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